


5R 884555-508 US

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) (Small Entity)			Docket No.
In Re Application Of: Authier			
Serial No. 09/429,939	Filing Date 10/29/99	Examiner Prunner, K.	Group Art Unit 3751
Invention: WATER FREEZE CONTROL FOR HOT TUB SPA			
<u>TO THE COMMISSIONER FOR PATENTS:</u>			
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of <u>10/10/2003</u> in the above-identified application. <small style="margin-left: 100px;">Date</small>			
The requested extension is as follows (check time period desired): <input checked="" type="checkbox"/> One month <input type="checkbox"/> Two months <input type="checkbox"/> Three months <input type="checkbox"/> Four months <input type="checkbox"/> Five months from: <u>04/07/2004</u> <small style="margin-left: 10px;">Date</small> until: <u>04/10/2004</u> <small style="margin-left: 10px;">Date</small> <i>* measured From date of Advisory Action</i>			
A verified statement of small entity status as a small entity under 37 CFR 1.27: <input type="checkbox"/> is enclosed. <input type="checkbox"/> has already been filed in this application.			
The fee for the extension of time is \$55 and is to be paid as follows: <input checked="" type="checkbox"/> A check in the amount of the fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 200678 <input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 200678			
 <small style="margin-left: 100px;">Signature</small>			Dated: 04/08/2004
John R. Ross, III Regis. No. 43060 Ross Patent Law Office P.O. Box 2138 Del Mar, CA 92014 858-755-3122 FAX: 858-755-3122			I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. <hr/> <p style="text-align: center;">Signature of Person Mailing Correspondence</p> <p style="text-align: center;">John R. Ross, III</p> <hr/> <p style="text-align: center;">Typed or Printed Name of Person Mailing Correspondence</p>
cc:			

Express Mail Label No. 88455508 US

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity) Submit an original, and a duplicate for fee processing. <i>(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))</i>				Docket No.	
<input type="checkbox"/> DUPLICATE <small>(Check box if applicable)</small>					
First Named Inventor		Examiner		Group/Art Unit	
Anthier		Prunner, K.		3751	
Address to: Mail Stop CPA Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450					
This is a request for filing a <input checked="" type="checkbox"/> continuation or <input type="checkbox"/> divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number <u>09/429,939</u> filed on <u>10/29/99</u> and entitled: WATER FREEZE CONTROL FOR HOT TUB SPA					
1. <input checked="" type="checkbox"/> Enter the unentered amendment previously filed on <u>02/10/2004</u> under 37 CFR 1.116 in the prior nonprovisional application. 2. <input type="checkbox"/> A preliminary amendment is enclosed. 3. <input type="checkbox"/> This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4). a. <input type="checkbox"/> DELETE the following inventor(s) named in the prior nonprovisional application: b. <input type="checkbox"/> The inventor(s) to be deleted are set forth on a separate sheet attached hereto. 4. <input type="checkbox"/> A new power of attorney or authorization of agent is enclosed. 5. <input type="checkbox"/> Small Entity Status: a. <input type="checkbox"/> A small entity statement is enclosed. b. <input type="checkbox"/> A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired. 6. <input type="checkbox"/> The fee for this application is calculated as follows:					
CLAIMS AS FILED					
For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	13	- 20 =	0	x \$9.00	\$0.00
Indep. Claims	3	- 3 =	0	x \$40.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$385.00
TOTAL FILING FEE					\$385.00

P21SMALL/REV06

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

7. ☒ The Director is hereby authorized to credit overpayments or charge the following fees to Deposit
Account No. 200678

- ☒ fees required under 37 C.F.R. 1.16.
☒ fees required under 37 C.F.R. 1.17.
☒ fees required under 37 C.F.R. 1.18.

8. ☒ A check in the amount of \$440.00 is enclosed.

9. ☐ An Information Disclosure Statement (IDS) is enclosed:

- a. ☐ PTO-1449
b. ☐ Copies of IDS Citations

10. ☒ Also enclosed:

A request for a 1 month extension of time with \$55 fee.

Note: the CPA filing fee and 1 month extension fee are combined in 1 check for \$440.00.

11. ☐ The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))**NOTES**

Submit an original, and a duplicate for fee processing.

FILING QUALIFICATIONS: The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

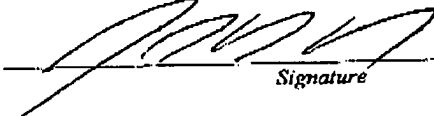
CH-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to copies of, or information concerning, the prior application may be given similar access to copies of, or similar information concerning, the other application or application in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated: 04/08/2004


Signature

John R. Ross, III

Typed or printed name

43060

Registration Number (if applicable)

- ☐ Inventor(s)
☐ Assignee of complete interest
☒ Attorney or agent of record

cc:

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Authier		Prunner, K.		3751		
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For	#Filed	#Allowed	#Extra	Rate	Fee	
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Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
BASIC FEE					\$385.00	
TOTAL FILING FEE					\$385.00	

P21SMALL/REV06

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(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

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Note: the CPA filing fee and 1 month extension fee are combined in 1 check for \$440.00.

11. ☐ The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

1726

ROSS PATENT LAW OFFICE
PO BOX 2138 (858) 765-3122
DEL MAR, CA 92014

DATE 4/8/04 16-36/1220

PAY TO THE ORDER OF Commissioner of Patents & Trademarks \$ 440.00

Four hundred forty and 00/100 DOLLARS

Bank of America.
Dell Mar, CA 92014
101429,939

FOR 101429,939 235120006610 2351200328910

**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)
(Small Entity)**

**RECEIVED
CENTRAL FAX CENTER**

JUL 27 2004

Serial No.: 09/429,939
Filed: 10/29/99
Applicant: Authier
For: WATER FREEZE CONTROL FOR HOT TUB SPA

Examiner: Prunner, K.
Group Art: 3751

OFFICIAL

TO THE ASSISTANT COMMISSIONER FOR PATENTS

This is petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of 10/10/2003 in the above-identified application.

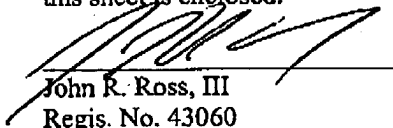
The requested extension is for three months from 01/10/2004 to 04/12/2004. The fee for a 3 month extension of time is \$475.00. A petition for a 1 month extension of time with \$55 fee was already filed on 2/10/2004. Therefore, the total fee owed is \$475.00 - \$55.00 = \$420.00.

The fee for the amendment and extension of time has been calculated as shown below:

The fee for the amendment and extension of time is to be paid as follows:

- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 200678.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 200678:
 - Any additional filing fees required under 37 CFR 1.16.
 - Any patent application processing fees under 37 CFR 1.17.

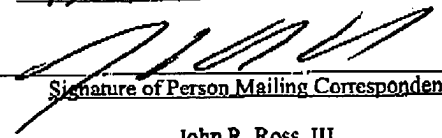
If any additional extension of time is required, please consider this a petition therefor and charge any additional fees that may be required to Deposit Account No. 200678. A duplicate copy of this sheet is enclosed.


John R. Ross, III
Regis. No. 43060
Ross Patent Law Office
P.O. Box 2138
Del Mar, CA 92014
858-755-3122
FAX: 858-755-3122

4/12/04
Date

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 703-872-9306 on 4/12/04


Signature of Person Mailing Correspondence

John R. Ross, III
Typed or Printed Name of Person Signing this Certificate